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SUBJECT: GUIDANCE: MIDDLE EAST CONSULTATIONS, MARCH 25

11. (SBU) This is an action message. USUN is authorized to draw from the elements in paras 2 and 4 below as a basis for its participation in Security Council consultations on the Middle East scheduled for March 25, and for its public statements on the consultation.

12. (U) Elements for presentation:

-- Mr. President, let me thank Under-Secretary Lynn Pascoe for his informative report.

-- The Under-Secretary has given us much to discuss, and from the outset, we must consider the humanitarian situation in Gaza. The United States is deeply committed to relieving the immediate suffering of people there. But we are also determined to aggressively work for a lasting peace that provides a stable and prosperous future for Israelis and Palestinians alike. Our response to the urgent needs in Gaza cannot be separated from our broader, long-term efforts to achieve a comprehensive peace.

-- To date, the United States has contributed more than \$66 million to provide food, water, medicine, and shelter for the people of Gaza. At the March 2 donors' conference in Sharm el Sheikh, Secretary Clinton announced our intention support the Palestinian Authority and Gaza recovery with up to \$900 million in assistance. This pledge, designed in coordination with the Palestinian Authority and to be submitted to the United States Congress, will deliver assistance to the people of Gaza and further the development of the West Bank

-- The United States is working with President Abbas and the Palestinian Authority to address critical humanitarian, budgetary, security, and infrastructure development needs. Direct budget support to the Palestinian Authority offers one of the quickest ways to meet these needs. The PA spends more than 50 percent of its recurrent budget in Gaza, for instance, and PA employees in Gaza's hospitals and schools continue to provide essential services to the people of Gaza under often extreme conditions. Through our assistance and support for the Palestinian Authority, we aim to foster the conditions in which a Palestinian state can be created -- a state at peace with Israel and its neighbors and accountable to its people -- of which Palestinians everywhere can be proud. This is the Palestinian state we all envision and which we all have an obligation to help create.

-- We are engaging with the Government of Israel on a daily basis about the volume and range of humanitarian items and humanitarian workers entering Gaza. We encourage Israel to make it easier to bring humanitarian goods into Gaza and to ease restrictions on urgently needed items, including critical building supplies. As part of a lasting cease-fire, Gaza's border crossings should be opened to permit the robust flow of aid and commerce, with an appropriate monitoring regime joined by both the international community and the Palestinian Authority.

-- I also wish to express our deep appreciation to President Mubarak and the government of Egypt for their persistence in promoting a durable ceasefire in Gaza and southern Israel and in hosting Palestinian reconciliation talks. The United States values Egypt's leadership in the region and its support for peace. We support its efforts to forge a Palestinian unity government that can be a genuine party to peace, and can realize the Palestinian people's legitimate aspirations for an independent and viable state by recognizing Israel, renouncing violence, and accepting previous agreements and obligations.

-- The smuggling of weapons into Gaza and Hamas' continued rocket attacks against southern Israel constitute a serious and immediate threat to regional peace and security, putting innocent lives at risk and threatening to set off another deadly round of violence. Working with our partners in the region and beyond, the United States is committed to moving forward quickly with new mechanisms to block this arms trafficking. We welcome the Program of Action agreed in London on March 13 by nine nations -- Canada, Denmark, France, Germany, Italy, Netherlands, Norway, the United Kingdom, and the United States.

-- Consistent with existing UN Security Council resolutions, as well as counterterrorism and nonproliferation conventions and regimes, this initiative will strengthen the international community's ability to support a durable cease-fire. It provides a comprehensive platform for enhanced cooperation in information and intelligence sharing; diplomatic engagement; and military and law enforcement activities. Participating countries will meet on a regular basis and have agreed that the initiative would be open to others who wish to join.

-- It is the policy of the United States to move quickly and actively to seek a lasting peace between Israel and the Palestinians. With Special Envoy Mitchell leading our efforts, we are engaged in determined and vigorous diplomacy. Lasting peace requires more than a cease-fire, however. We urge all parties to respect their obligations under the Roadmap and refrain from any activities that do not help the cause of peace in the Middle East.

-- We have made clear to Israel that settlement activity is unhelpful, and we call on Israel to dismantle outposts erected since March 2001. We also call on the Arab states, building on the Arab peace initiative, to reach out to Israel to demonstrate in both word and deed that Israel has a permanent and secure place in the region.

-- The U.S. will engage to help support the parties as they make progress toward a comprehensive peace between Israel and all its neighbors that respects Israel's rightful place in the community of nations and includes two states, Israel and Palestine, living side by side in peace and security.

-- President Obama, Secretary Clinton, and Ambassador Rice have stated their desire for principled, sustained engagement in the Middle East. As the President has noted, the United States intends to pursue engagement with all countries in the region, including Syria. On March 7, U.S. officials traveled to Damascus to build on previous discussions in Washington. We are hopeful that Syria can play a constructive role in the region by supporting, for example, Palestinian reconciliation based on PLO commitments; a secure, stable, Iraq; and free and fair parliamentary elections in Lebanon.

-- Before closing, let me add several essential points about the situation in Lebanon. Sadly, these are also related to the unrelenting threat of violence.

-- The United States condemns the attack on Monday that

killed Kamal Medhat, advisor to the PLO's representative in Lebanon, and his bodyguards. We call on all parties to respect the rule of law and renounce the use of violence. My government supports the Lebanese government in its efforts to provide security and ensure that the perpetrators of this attack are brought to justice.

-- We also remain particularly concerned about Hizballah's continuing efforts to rearm. In Lebanon as in Gaza, arms smuggling is a continuing threat to peace and security in the region. Lebanese civilians will have real security only when Hizballah, the Popular Front for the Liberation of Palestine - General Command, Fatah el-Intifada, and other militias disarm. The government of Lebanon must be the sole military authority in Lebanon.

-- The United States continues to press all parties to support the conduct of free, fair, and transparent parliamentary elections in Lebanon, unmarred by political violence. The shape and composition of Lebanon's next government should be decided by the Lebanese themselves, for Lebanon, free from outside interference.

-- Finally, we are encouraged by the March 1 opening of the Special Tribunal for Lebanon in The Hague, and we are confident that the Tribunal will bring to justice those who financed, planned, and perpetrated the assassinations of former Prime Minister Rafiq Hariri and others. The rise of the Tribunal illustrates Lebanon and the international community's shared determination to end the era of impunity for political assassinations in Lebanon. The United States will continue to support the Tribunal, and we encourage all those committed to promoting justice in Lebanon to do so as well.

End Elements.

¶3. (SBU) U/S Pascoe is not likely to discuss allegations of Israeli human rights abuses or war crimes during his briefing to the Council. However, several Council members, in particular Libya as Council President, may raise this issue. Mission may draw from the elements at para 4 in a right of reply to these statements. In the event some speakers use extremely offensive and intentionally inflammatory language, Mission may vacate the chair, and may coordinate with like-minded delegations who may wish to join us.

¶4. (U) Elements for a Right of Reply:

-- Israel's intervention in Gaza came in response to thousands of rockets fired by Hamas and other terrorist groups intentionally targeting civilian communities in Israel. Hamas carries out these terrorist attacks near the Palestinian civilian population or in its midst, and it reportedly uses civilians as human shields.

-- The death or injury of civilians caught in armed conflicts is always a tragedy, but in attacks against legitimate military targets, it is not necessarily evidence of a violation of international law. The Israeli government is investigating the circumstances of civilian deaths in the recent conflict in Gaza, including allegations that its soldiers may have committed abuses.

Israel has also been cooperating with the United Nations Board of Inquiry in its investigation. We applaud it for taking this responsible approach.

Only if raised:

-- We are aware of the Gaza testimonies of Israeli soldiers published by the Oranim College military academy. The Israeli army has stated that it will investigate the soldiers' accounts. Defense Minister Barak has announced that the findings would be taken seriously.

-- We have seen Special Rapporteur Falk's report. We note

that it contains no new factual information with respect to events in Gaza and southern Israel. Dr. Falk himself states quite plainly in the report that he has not conducted an investigation into the facts. As we have noted many times, we remain concerned by the Special Rapporteur's unbalanced mandate, which singles out only Israel for scrutiny. There are for example, only three lines in the entire 26-page report criticizing Hamas' terrorist rocket attacks. Inaccurate, incomplete, and one-sided reporting does nothing to advance the cause of peace and a two-state solution to this tragic conflict.

-- We were appalled to hear the reports of some shocking t-shirts ordered by some Israeli soldiers. We are glad to hear that the Israeli Defense Forces have condemned these t-shirts and announced that disciplinary action would be taken against troops wearing them.

End Elements.
CLINTON